

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Allegation of Corruption against Sri Mallepally Venkatesh, Mandal Surveyor (Deputy Surveyor), Office of Tahsildar, Amangal Mandal, Mahaboobnagar District – Sanction of Prosecution – Orders – Issued.

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REVENUE (VIGILANCE.IV.2) DEPARTMENT

G.O.Ms.No. 1521

Dated:23.07.2011.

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ORDER:

Whereas Sri Mallepally Venkatesh worked as Mandal Surveyor (Deputy Surveyor), Office of Tahsildar, Amangal Mandal, Mahaboobnagar District from 08.02.2009 to 14.10.2010 and by virtue of the post held by him, he falls under the category of Public Servant as defined under Section 2 (C) of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988).

2. And whereas, it is alleged that Sri Vuppala Anand, S/o. V. Krishnaiah, age 29 years, resident of H.No.17-2-790/B, Madannapet, Hyderabad, native of Jangareddypally (Village), Amangal (Mandal), Mahaboobnagar District, his parents are residing in Jangareddypally (Village), Amangal (Mandal), Mahaboobnagar District. His grand father late Vuppala Sattaiah was having 13 acres of land at Jangareddypally (Village), Amangal (Mandal), out of which his grand father donated some land for school and distributed the remaining land equally among his three sons and kept about 3 acres of land in Sy.No.242, 468 on his name. A Government Primary School building was constructed in the land donated by his grand father. His grand father expired in the year 1999. About two months back, the Sarpanch of their village has taken up the construction of another school building illegally in the land of his grandfather. On that, he along with his father and uncles Jangaiah and Parvatalu requested the Sarpanch to stop construction of the school building. The Sarpanch asked them to show the documents and boundaries of the said land. He mentioned that they do not have any objection for the existing school building and objected for construction of another school building by encroaching the land. In this regard, on 21.08.2010 they gave a petition to the Tahsildar, Amangal (Mandal) for measuring the land and demarcating the boundaries. On the same day, the Tahsildar endorsed the petition and entrusted to the Mandal Surveyor

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Sri Venkatesh for surveying the land. Since then, Sri V.Anand has been approaching Sri Venkatesh, Surveyor at Tahsildar Office, Amangal and requested him several times for measuring the land and demarcating its boundaries, but the Surveyor demanded a bribe amount of Rs.2,000/- for measuring the land. Again on 08.09.2010 when Sri V. Anand met the surveyor Sri Venkatesh at Tahsildar Office, Amangal and requested him to Survey their land, the surveyor vehemently stated that without payment of bribe of Rs.2,000/-, he would not attend to the work. As such, he returned informing him that he would meet in a couple of days after procuring the amount.

3. And Whereas, Sri Vuppala Anand, S/o. V.Krishnaiah, was not willing to pay bribe to Sri Mallepally Venkatesh, Mandal Surveyor (Deputy Surveyor), he lodged a written complaint on 13.09.2010 at 10-00 hours against Mallepally Venkatesh, Mandal Surveyor (Deputy Surveyor) with Deputy Superintendent of Police, Anti-Corruption Bureau, Hyderabad Range, Hyderabad requesting to take legal action against Mallepally Venkatesh, Mandal Surveyor (Deputy Surveyor). On receipt of the complaint, the Deputy Superintendent of Police, Anti-Corruption Bureau asked the complainant to come to the office of Deputy Superintendent of Police, Anti-Corruption Bureau, Hyderabad range on 14.09.2010 in the morning hours along with the proposed bribe amount of Rs.2,000/- which he intended to pay as bribe to Mallepally Venkatesh, Mandal Surveyor. The Deputy Superintendent of Police, Anti-Corruption Bureau, Hyderabad Range, Hyderabad made confidential enquiries with regard to the genuineness of the complaint and reputation of Sri M. Venkatesh, Mandal Surveyor (Deputy Surveyor) and registered a case in Cr.No.22/ACB-HR/2010 under Section 7 of the Prevention of Corruption Act, 1988 on 14.09.2010 at 06-30 hours against Sri M.Venkatesh, Mandal Surveyor and organized a trap after observing all the legal formalities stipulated for a trap.

4. And whereas on 14.09.2010 i.e. on the date of trap when Sri Vuppala Anand met Sri M.Venkatesh, Mandal Surveyor at his office, Sri M. Venkatesh, Mandal Surveyor enquired Sri V.Anand and got confirmed that he brought the demanded bribe amount. When Sri V.Anand replied positively, then Sri M.Venkatesh, Mandal Surveyor took him towards toilet-cum-store room and asked him to pay the bribe amount. Sri V. Anand took the bribe amount from his left side shirt pocket and offered it to Sri M.Venkatesh. Then Sri M.Venkatesh, Mandal Surveyor accepted the bribe amount of Rs.2,000/- with his right hand and kept the amount in his right side hip pant pocket and asked Sri V.Anand to come to nearby hotel for having a tea. The tainted amount Rs.2,000/- was recovered from right side hip pant pocket of Sri M.Venkatesh, Mandal Surveyor, at his instance.

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During the trap proceedings, when the Phenolphthalein tests were conducted on right hand fingers of Sri M. Venkatesh, Mandal Surveyor and on the inner flap of his right side hip pant pocket, yielded positive results.

5. And Whereas, the said acts of Sri M.Venkatesh, Mandal Surveyor worked as Mandal Surveyor (Deputy Surveyor) at the Office of Tahsildar, Amangal Mandal, Mahaboobnagar District constitute the offences punishable under Section 7 and 13 (2) read with 13(1) (d) of the Prevention of Corruption Act, 1988.

6. And whereas, the Government of Andhra Pradesh being the Competent Authority to remove Sri M.Venkatesh, Mandal Surveyor from service, after fully and carefully examining the material (i.e. FIR, Pre and Post-trap proceedings and final report) placed before them and having applied their mind to the facts and circumstances of the case consider that the said Sri M.Venkatesh, Mandal Surveyor worked as Mandal Surveyor (Deputy Surveyor) at the Office of Tahsildar, Amangal Mandal, Mahaboobnagar District should be prosecuted in a Court of Law for the aforesaid offences.

7. Now, therefore, in exercise of the powers conferred under Clause (b) of Sub-Section (1) of Section 19 of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988), the Government of Andhra Pradesh hereby accord sanction for the prosecution of the said Sri M.Venkatesh, Mandal Surveyor worked as Mandal Surveyor (Deputy Surveyor) at the Office of Tahsildar, Amangal Mandal, Mahaboobnagar District for the above said offences punishable under Section 7 and 13(2) read with 13(1) (d) of the Prevention of Corruption Act, 1988 and for any other cognate offences punishable under any provisions of Law for the time being in force and for taking cognizance of the said acts by a Court of Competent Jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

(ANIL CHANDRA PUNETHA)
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General,
Anti-Corruption Bureau,
Hyderabad.